

FORM PTO-1390 (REV. 01-2003) US DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 120191
TRANSMITTAL LETTER TO [REDACTED] UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION [REDACTED] (If known, see 37 CFR 1.5) 10/500,046
INTERNATIONAL APPLICATION NO. PCT/JP02/13647	INTERNATIONAL FILING DATE December 26, 2002	PRIORITY DATE CLAIMED December 28, 2001
TITLE OF INVENTION SPECTROMETERING APPARATUS		
APPLICANT(S) FOR DO/EO/US Mamoru USAMI et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). c. <input type="checkbox"/> The International Application was filed in English. 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input type="checkbox"/> Other items or information: Designation of Ten Attorneys for Power of Attorneys 		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)
10/500,046

INTERNATIONAL APPLICATION NO.
New U.S. National Stage of
PCT/JP02/13647

ATTORNEY'S DOCKET NUMBER
1201

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,080.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$ 920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO..... \$ 770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$ 730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$ 100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

\$

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$130

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total Claims	- 20 =		X \$ 18.00	\$
Independent Claims	- 3 =		X \$ 86.00	\$
MULTIPLE DEPENDENT CLAIM(S)(if applicable)			+ \$290.00	\$

TOTAL OF ABOVE CALCULATIONS =

\$130

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½ .

SUBTOTAL =

\$130

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

\$130

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

TOTAL FEES ENCLOSED =

\$130

11/30/2004 SNATOPPO 00000004 150461 10500046

Amount to be refunded: \$

01 FC:1617 130.00 DA

charged: \$

- a. A check in the amount of \$130 to cover the above fees is enclosed.
- b. Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.
- d. Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

OLIFF & BERRIDGE, PLC
Customer Number: 25944

NAME: Mario A. Costantino
REGISTRATION NUMBER: 33,565

Date September 15, 2004

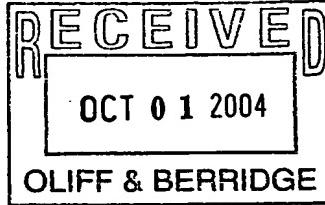
NAME: Thomas J. Pardini
REGISTRATION NUMBER: 30,411



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,046	Mamoru Usami	120191
INTERNATIONAL APPLICATION NO.		
PCT/JP02/13647		
25944 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320	LA. FILING DATE	PRIORITY DATE
	12/26/2002	12/28/2001
CONFIRMATION NO. 9149		
371 FORMALITIES LETTER		
 *OC000000013893279*		



Date Mailed: 09/27/2004

MISSING PARTS

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- | • Copy of the International Application filed on 06/25/2004 | DUE DATE |
|---|-------------|
| • English Translation of the IA filed on 06/25/2004 | NOV 27 2004 |
| • Copy of the International Search Report filed on 06/25/2004 | |
| • Preliminary Amendments filed on 06/25/2004 | |
| • Information Disclosure Statements filed on 06/25/2004 | |
| • U.S. Basic National Fees filed on 06/25/2004 | |
| • Priority Documents filed on 06/25/2004 | |
| • Power of Attorney filed on 06/25/2004 | |

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.495).

DOCKETED

A copy of this notice **MUST** be returned with the response by 10/1/2004 and
By TJ on 10/1/2004
Oliff & Berridge

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,046	PCT/JP02/13647	120191

FORM PCT/DO/EO/905 (371 Formalities Notice)

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Mamoru USAMI et al.

Application No.: 10/500,046

ATTN: PCT Branch

Docket No.: 120191

Filed: September 15, 2004

For: SPECTROMETERING APPARATUS

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
DECLARATION ALREADY FILED

Director of the U.S. Patent and Trademark Office
 Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on September 27, 2004, the executed Declaration and a Power of Attorney of the inventors was filed on September 15, 2004. Any necessary Designation of Ten Attorneys for Power of Attorney or Transmittal of Power of Attorney and Statement Under 37 C.F.R. §3.73(b) is also attached. A copy of the executed Declaration as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, and a copy of the stamped postcard receipt are attached hereto. The surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)) was also paid on September 15, 2004 with our Check No. 158520 for \$130.

Entry of these documents on September 15, 2004 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,



Mario A. Costantino
 Registration No. 33,565

Eric D. Morehouse
 Registration No. 38,565

MAC:EDM/mlo

Date: November 26, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
 AUTHORIZATION**
 Please grant any extension
 necessary for entry;
 Charge any fee due to our
 Deposit Account No. 15-0461

PTO RECEIPT FOR FILING OF PAPERS

► Mail Room (Regular Delivery)

The following papers have been filed:

PCT Trans; CK 158520 (\$130); Des of Ten Attorneys; Dec

Name of Applicant: Mamoru USAMI et al.

Serial No.: 10/500,046

Atty. File No.: 120191

Title (New Cases):

Sender's Initials: MAC/mlo

[Handwritten signature]

PATENT OFFICE DATE STAMP



**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

Oliff & Berridge, PLC

277 S. Washington Street, Suite 500, Alexandria, Virginia 22314